

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 1244

H.P. 918

House of Representatives, March 6, 2003

An Act To Increase the Penalties for a Person Who Vandalizes Cemetery Property

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

Millicent M. MacFarland

MILLICENT M. MacFARLAND

Clerk

Presented by Representative SNOWE-MELLO of Poland.
Cosponsored by Senator BLAIS of Kennebec and
Representatives: COLLINS of Wells, GLYNN of South Portland, HEIDRICH of Oxford,
MOORE of Standish, MURPHY of Kennebunk.

Be it enacted by the People of the State of Maine as follows:

2
4 **Sec. 1. 15 MRSA §3314, sub-§1, ¶B-1** is enacted to read:

6 B-1. Notwithstanding paragraph B, if a minor is adjudicated
8 as having committed an offense that if committed by an adult
10 would be a violation of Title 17-A, section 507-A, the court
12 shall require the minor to perform at least 8 hours per week
14 of community service work for the cemetery for 2 consecutive
16 summers following the adjudication, commencing the week
18 after school ends and ending the week before school
20 commences, if applicable. Upon completing the community
22 service work, the minor shall submit to the court proof that
24 the community service work was performed.

16 **Sec. 2. 15 MRSA §3314, sub-§1, ¶E-1** is enacted to read:

18 E-1. Notwithstanding paragraph E, if a minor is adjudicated
20 as having committed an offense that if committed by an adult
22 would be a violation of Title 17-A, section 507-A, the court
24 shall require the minor or the minor's family to pay
26 restitution for all damages. Upon completing payment of the
28 restitution, the minor or the minor's family shall submit to
30 the court proof that the restitution was paid.

26 **Sec. 3. 17-A MRSA §507-A, sub-§3**, as enacted by PL 1987, c.
28 326, §2, is amended to read:

30 3. Any person who violates subsection 1 commits a Class D
32 crime. In addition to any other penalty, the court shall impose
34 a sentencing alternative involving restitution for all damages,
36 except as provided in section 1325, subsection 2, and shall
38 impose at least 5 hours per week of community service work for
40 the cemetery for one year. Upon completing the restitution and
42 community service work sentencing alternatives, the person shall
44 submit to the court proof that the restitution has been paid and
46 the community service work performed.

40 **SUMMARY**

42 This bill provides mandatory penalties that a court shall
44 impose on a person convicted of vandalizing a cemetery. If the
46 violator is a minor, the court shall require the violator or the
48 violator's family to pay restitution and require the violator to
50 perform 8 hours of community service per week for the cemetery
for 2 consecutive summers following the conviction. If the
violator is an adult, the court shall require the violator to pay
restitution and to perform 5 hours of community service for the
cemetery per week for one year.